THE UNITED STATES PATENT AND TRADEMARK OFFICE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: : Examiner: Robert Fennema Rainer Sommer For: METHOD FOR CONTROLLING MICROCONTROCEPRESTIFY that this correspondence is THE PROGRAM RUN IN A hined States Postal Service with whiteless postage as first class mail Filed: July 2, 2001 for Potents, P.O. Box 1450, Alexandria, VA 22313-1450 Serial No.: 09/897,870 $D_{\epsilon,0}$ MAIL STOP APPEAL BRIEF - PATEN Enchire Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 APPEAL BRIEF TRANSMITTAL AND PETITION

SIR:

JAN 2 8 2008

Accompanying this Appeal Brief Transmittal is an Appeal Brief pursuant to 37 C.F.R. § 41.37 **in triplicate** as a courtesy (even though not required) for filing in the above-identified patent application.

This is also a **Petition To Extend** Under 37 C.F.R. § 1.136(a) to extend the two-month response date by four (4) months from the two-month date of September 23, 2007 to January 23, 2008 (Appellants mailed a Notice Of Appeal on July 20, 2007 which was filed in the U.S.P.T.O. on July 23, 2007 so that the two-month appeal brief due date is September 23, 2007).

Please charge the appropriate fees of \$2,150.00, which includes the Appeal Brief fee under 37 C.F.R. § 1.17(c) (which is believed to be \$510.00) and the Rule 136(a) extension fee (which is believed to be \$1,640.00 for a four-month extension), to Deposit Account No. 11-0600. The Commissioner is also authorized, as necessary and/or appropriate, to charge any additional and appropriate fees, including any further Rule 136(a) extension fees, or credit any overpayment to Deposit Account No. 11-0600. Two duplicate copies of this transmittal are enclosed for these purposes.

Dated:

Respectfully submitted,

Gerard A. Messina

(Reg. No. 35,952)

KENYON & KENYON LLP

One Broadway

New York, New York 10004

(212) 425-7200

CUSTOMER NO. 26646